

ENTERED

February 19, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

DEANDRE BENNETT

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CRIMINAL ACTION NO. 2:16-CR-00076-1

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant meets the probable cause standard based solely on the grand jury's indictment. The findings and conclusions contained in the Pretrial Services Report and addendum are adopted as modified during the detention hearing. The Defendant has not produced the type of evidence that would make the court comfortable that the presumption has been rebutted. There is no evidence of the Defendant's time in the community, his family, or their resources. There is no evidence that the Defendant could produce a significant cash deposit or a co-surety with significant

non-exempt assets to secure the type of bond that has been set in this type of case in the past. The court might be willing to reconsider this order upon production of this evidence.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 19th day of February, 2016.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE